

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NIELSEN CONSUMER LLC,

Plaintiff,

-against-

CIRCANA GROUP, L.P.,

Defendant.

<b>USDC SDNY</b>
<b>DOCUMENT</b>
<b>ELECTRONICALLY FILED</b>
<b>DOC #:</b> _____
<b>DATE FILED:</b> 5/19/2025

ORDER ON MOTIONS TO SEAL

**22-CV-3235 (JPO) (KHP)**

**KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE**

On April 11, 2025, Defendant filed a Letter Motion requesting to file in redacted form its Opposition to Plaintiff's Motion to Compel Production of a Clawed-Back Document and accompanying Exhibits B, C, D, and E as well as to file under seal accompanying Exhibit A. (ECF No. 517) Defendant notes that the proposed redactions "are limited to non-public, competitively sensitive information concerning the data Circana licenses to NielsenIQ under the parties' agreement, as well as deposition testimony and information contained in confidential documents and communications that have been produced in this litigation." (*Id.*) On April 11, 2025, Defendant also filed a Letter Motion requesting to file in redacted form its Opposition to Plaintiff's Motion to Compel Defendant to Respond to Plaintiff's Amended Third Interrogatory. (ECF No. 520) Defendant notes that the proposed redactions "are limited to non-public, competitively sensitive information concerning the terms of the parties' agreement; information contained in highly confidential discovery responses it has served in this litigation; and information NielsenIQ considers competitively sensitive." (*Id.*) On that same date, Defendant also filed its proposed redactions. (ECF Nos. 517, 523-24)

The Court has reviewed Defendant's filings and finds that the redactions are narrowly tailored to protect competitively sensitive business information and other confidential information and are consistent with the *Lugosch* standard. *See Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 120 (2d Cir. 2006) (finding that courts may grant motions to seal where the parties make "specific, on the record findings . . . demonstrating that closure is essential to preserve higher values and [sealing] is narrowly tailored to serve that interest."). Therefore, Defendant's Letter Motions to Seal are GRANTED.

Defendant is reminded that the documents and information placed under seal in connection with this request may not be similarly treated in connection with a dispositive motion.

**The Clerk of Court is respectfully directed to terminate the motions at ECF Nos. 517 and 520. Further, the Clerk of Court is also respectfully directed to keep the documents at ECF Nos. 519, 523 and 524 under seal.**

**SO ORDERED.**

Dated: May 19, 2025  
New York, New York



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KATHARINE H. PARKER  
United States Magistrate Judge